

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF NEW YORK

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Gates Community Chapel of Rochester, Inc.

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names
DBA Freedom Village USA

3. Debtor's federal Employer Identification Number (EIN) 16-1055934

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

5275 State Route 14
Lakemont, NY 14857

Number, Street, City, State & ZIP Code

Yates

County

PO Box 24
Lakemont, NY 14857

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) https://www.freedomvillageusa.com

6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify:

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply

- ☒ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8131

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **Gates Community Chapel of Rochester, Inc.**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **February 21, 2018**
MM / DD / YYYY

X /s/ Fletcher A. Brothers
Signature of authorized representative of debtor

Title **President**

Fletcher A. Brothers
Printed name

18. Signature of attorney

X /s/ Mike Krueger, Esq.
Signature of attorney for debtor

Date **February 21, 2018**
MM / DD / YYYY

Mike Krueger, Esq.
Printed name

Dibble & Miller, P.C.
Firm name

**55 Canterbury Rd.
Rochester, NY 14607**
Number, Street, City, State & ZIP Code

Contact phone **585-271-1500** Email address **mjk@dibblelaw.com**

NY
Bar number and State

Fill in this information to identify the case:

Debtor name **Gates Community Chapel of Rochester, Inc.**
 United States Bankruptcy Court for the: **WESTERN DISTRICT OF NEW YORK**
 Case number (if known): _____

☐ Check if this is an
 amended filing

Official Form 204
Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders
12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
NYS Department of Labor Larissa C. Bates, Esq. W.A. Harriman Campus Building 12; Room 509 Albany, NY 12240		Alleged unpaid wages, interest & penalties	Disputed			\$1,523,834.19
WSIV/WVOA Radio 7095 Myers Rd. East Syracuse, NY 13057		Advertising				\$25,000.00
The Life FM PO Box 25051 Greenville, SC 29616		Advertising				\$12,890.00
Great Lakes Radio Detroit 2994 E. Grand Blvd. Detroit, MI 48202		Advertising				\$8,250.00
Exceed Marketing Solutions, LLC 15954 Jackson Creek Pkwy Suite B #582 Monument, CO 80132		Advertising				\$6,000.00
Your Cause 6111 W. Plano Parkway Suite 1000YC Plano, TX 75093		Software				\$4,263.00
WLNL Radio 3134 Lake Rd. Horseheads, NY 14845		Advertising				\$4,200.00

Debtor **Gates Community Chapel of Rochester, Inc.**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
NYS Department of Taxation & Finance PO Box 5300 Albany, NY 12205-0300						\$1.00
IRS P. O. Box 7346 Philadelphia, PA 19101-7346						\$1.00

United States Bankruptcy Court
Western District of New York

In re **Gates Community Chapel of Rochester, Inc.**

Debtor(s)

Case No.

Chapter

11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept an initial retainer of	\$	<u>35,000.00</u>
Prior to the filing of this statement I have received	\$	<u>35,000.00</u>
Balance Due	\$	<u>0.00</u>

2. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify):

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify):

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

Prosecute Chapter 11 on an hourly basis, subject to Court approval.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

February 21, 2018

Date

/s/ Mike Krueger, Esq.

Mike Krueger, Esq.

Signature of Attorney

Dibble & Miller, P.C.

55 Canterbury Rd.

Rochester, NY 14607

585-271-1500 Fax: 585-271-0118

mjk@dibblelaw.com

Name of law firm

**United States Bankruptcy Court
Western District of New York**

In re **Gates Community Chapel of Rochester, Inc.**

Debtor(s)

Case No.

Chapter

11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
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-NONE-

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **President** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **February 21, 2018**

Signature **/s/ Fletcher A. Brothers**
Fletcher A. Brothers

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court
Western District of New York**

In re **Gates Community Chapel of Rochester, Inc.**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **February 21, 2018**

/s/ Fletcher A. Brothers

Fletcher A. Brothers/President

Signer/Title

Estate of Emerson Frey
C/O Quintin Frey, Executor
3521 Anchor Rd.
Washington Boro, PA 17582-9604

Exceed Marketing Solutions, LLC
15954 Jackson Creek Pkwy
Suite B #582
Monument, CO 80132

Great Lakes Radio Detroit
2994 E. Grand Blvd.
Detroit, MI 48202

Industrial Board of Appeals
State Office Building Campus
Building 12, Room 116
Albany, NY 12240

IRS
P. O. Box 7346
Philadelphia, PA 19101-7346

Lawrence T. O'Reilly
Thomas J. O'Reilly
C/O Donald A. Schneider, Esq.
307 Liberty St.
Penn Yan, NY 14527

Morgenstern DeVoesick PLLC
Vivek Thiagarajan, Esq.
1080 Pittsford Victor Rd, Suite 200
Pittsford, NY 14534

NYS Department of Labor
Larissa C. Bates, Esq.
W.A. Harriman Campus
Building 12; Room 509
Albany, NY 12240

NYS Department of Taxation & Finance
PO Box 5300
Albany, NY 12205-0300

NYS Unemployment
ATTN: Insolvency Unit
State Office Building Campus
Building 12, Room 256
Albany, NY 12240

Office of the Attorney General
144 Exchange Boulevard
Rochester, NY 14614-2176

Sammy Feldman, Esq.
3445 Winton Place
Suite 228
Rochester, NY 14623

The Life FM
PO Box 25051
Greenville, SC 29616

U.S. Attorney's Office
100 State St.
Suite 500
Rochester, NY 14614

WLNL Radio
3134 Lake Rd.
Horseheads, NY 14845

WSIV/WVOA Radio
7095 Myers Rd.
East Syracuse, NY 13057

Yates County Treasurer
415 Liberty St.
Penn Yan, NY 14527

Your Cause
6111 W. Plano Parkway
Suite 1000YC
Plano, TX 75093

**United States Bankruptcy Court
Western District of New York**

In re **Gates Community Chapel of Rochester, Inc.**

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Gates Community Chapel of Rochester, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

February 21, 2018

Date

/s/ Mike Krueger, Esq.

Mike Krueger, Esq.

Signature of Attorney or Litigant

Counsel for **Gates Community Chapel of Rochester, Inc.**

Dibble & Miller, P.C.

55 Canterbury Rd.

Rochester, NY 14607

585-271-1500 Fax:585-271-0118

mjk@dibblelaw.com